

AGREED.

Mr. Flynn and the City Fathers Decide to Modify the Water Contract.

500,000 TO BE RETAINED

Only Hitch Is Over the Payment of Interest on the Sum Kept Back.

The water middle is at last clearing. At this morning's adjourned conference between representatives of Contractor P. H. Flynn and the Mayor and Joint Committee of the Finance and the Street and Water Boards, terms for the modification of the water supply contract were practically agreed upon. The only hitch now is over the question as to whether the city shall pay interest on the \$500,000 retained until after the city of Jersey City agrees to allow the city to retain until he can secure the alleged rights of the Morris and Essex Canal Company to a portion of the flow of the Rockaway River or retain the interest with the principal until his terms of the original contract are carried into effect.

The other terms offered by Mr. Flynn in consideration of a modification of the original contract—a modification that will not impair the original terms, but merely removes a technicality that stands in the way of financing the big work, appear acceptable to the city. The matter of retaining the interest on the \$500,000 retained out of the purchase money at the completion of the works until the contractor can carry out the original contract and give Jersey City the "whole" flow of the Rockaway River, is to be submitted to Mr. Flynn by his counsel. As soon as Mr. Flynn is heard from another conference will be held and the proposition to modify the contract definitely settled.

The full text of Mr. Flynn's proposition is embodied in the following communication to the Mayor and the Joint Committee of the Finance and the Street and Water Boards:

To His Honor the Mayor and Joint Committee of the Board of Finance and Street and Water Commissioners. Gentlemen: As requested by your joint committee, I submit the following terms to which I am willing to agree, if the city will modify the water contract of February 28, 1899, under the act of March 22, 1900, as outlined in my letter of March 29, 1901:

(1) The surety bond for five hundred thousand dollars which now "remains in force so long as Jersey City shall purchase water of the contractors by the million gallons" shall remain in force for the benefit of the city for three years after the purchase of the plant by the city.

(2) The limit of time for the testing of the works for purchase shall be extended, if desired by the city, to a period not beyond January 28, 1905, without the payment of the additional sum of four hundred thousand dollars, provided in the original contract.

(3) Upon the purchase of the plant the city shall have the right to retain on deposit five hundred thousand dollars of the purchase money of seven million five hundred and ninety-five thousand dollars until the happening of any one of the following events:

(a) A final judgment or decree of the highest court of the State of New Jersey to which a test case may be carried that the Morris Canal and Banking Company has no legal or equitable right, by prescription or otherwise, to divert out of the watershed of the Rockaway River, to the benefit of the waters of the Rockaway River over and above the amount of water brought into said watershed by said canal from Lake Hopatcong and elsewhere outside of the Rockaway River watershed.

(b) The delivery of a valid release from the Morris Canal and Banking Company and its lessee, vesting in said contractors, for the benefit of Jersey City, the first right to the whole flow of the Rockaway River into said storage reservoir at Old Boonton so far as the same time may be actually required for the time to furnish and deliver, with the storage provided for in the original contract, all the water said Jersey City may require up to twenty million gallons per day.

(c) The abandonment under legislative sanction by the Morris Canal and Banking Company and its lessee of that portion of the Morris Canal lying between Dover and Montville and the surrender of all its rights to divert the waters of the Rockaway River above said proposed reservoir site.

(4) Upon the happening of any one of said three events Jersey City shall pay over to the contractor said retained sum. So long as the works shall continue to furnish the fully supply of water required by the contract, the city shall pay the interest at 5% per cent. on said deposit.

(5) Whenever the contractor shall deliver to the city a valid release from the Morris Canal and Banking Company and its lessee, releasing all their rights, if any, to the waters of the Rockaway River watershed, after the abandonment of navigation for a sum therein to be named, the same to be paid on the abandonment of that portion of the canal under legislative sanction then there shall be paid by the city to the contractor all of said sum of five hundred thousand dollars, except the amount named in said release.

(6) The contractor shall not sell any waters out of said watershed at any time to any other person or corporation.

(7) The contractor shall upon the purchase of the plant and supply by Jersey City, and without additional compensation, convey to the city all of their reversionary rights in the waters of the Rockaway River watershed.

(8) These modifications shall not relieve said contractor or his sureties from furnishing and delivering to Jersey City quantity and quality of water required by the original contract, nor from con-

structing a plant therefor, in accordance with the original contract, as modified hereby; it being and remaining the duty of said contractors to furnish Jersey City with a water supply of seventy million gallons of water per day, and a plant capable of actually delivering fifty million gallons per day.

(9) These modifications shall be embodied in a contract to be mutually satisfactory to the counsel of the city and of said contractor.

PATRICK H. FLYNN.
By WALLIS, EDWARDS & HUMSTED,
His Attorneys.

Dated June 12, 1901.
Mr. Edwards read the propositions one by one. They were discussed thoroughly. Mr. Ringle declared that the city would pay no interest on the \$500,000 retained until after the work was performed and the principal paid over to the contractor. He declared also that the city should at least be protected to the extent of \$100,000.

Mr. Flynn's propositions covers that amount.

Mayor Hoos declared that the contractor would not be able to finish the works on specified time. To Mr. Edwards's remark that the works would be completed about on time, the Mayor said:— "This is a bluff, Mr. Harrison. You'll pay the penalty, all the same. You don't mean to finish them on time."

Discussing the amount of money to be held back, Mr. Edwards said Mr. Flynn did not want the Morris and Essex Canal Company to hold a whip over his head.

The Mayor said that the Council, on the counsel of the Canal Company's letter to the conference warning the city concerning its rights, but declaring that it wanted to help the city. He said that did not look as though it was holding a whip over Mr. Flynn's head.

Mr. McDermott subsequently declared his belief that the Legislature would never allow the Canal Company to abandon the canal in favor of Jersey City so long as it charged the city one cent for it. He further said that the men who are going to advance the money would see to it that the contract would be carried out to the letter.

In reply to Mr. Ringle's assertion that Mr. Flynn had broken promises several times Mr. Edwards declared that Mr. Flynn had lived up to the contract and was even giving the people a better plan than the contract called for. He said the work was being done by all to be better than the specifications called for and that he was giving the city a tunnel that would carry ten millions more than the one called for in the contract, to which Mr. Ringle replied that it was taken for granted that the contractor would not make a hole to crawl through, but one that could be a "pink suit."

"All right, then," laughed Mr. Edwards. "I'll let you be inspector."

A question of profits of the contractor led to a little tiff between the Mayor and Engineer Harrison.

"You say you had the money before the contract was signed," said the Mayor. "I don't believe in that kind of business."

"The profit will be over a million," said Mr. Harrison. "What difference does it make whether the contractor has the money or has to borrow it?"

The Mayor admitted the city had a good contract and wanted to keep it.

PYLE-MAC NAUGHTEN

Pretty Pink and White Wedding on the Hill Last Evening.

A pretty pink and white wedding took place last evening on the Heights when Miss Jessie L. MacNaughten, daughter of Mr. and Mrs. William MacNaughten, was married to Dr. Immanuel Pyle. The ceremony took place at the home of the bride's father, No. 234 Bergen avenue. The Rev. W. H. Hoagland, Presiding Elder of the Newark district of the Newark Methodist Conference and former pastor of the Emory Methodist Church in Belmont, officiated. Miss Ellen MacNaughten, the bride's sister, was maid of honor, and Mr. J. W. MacNaughten, a brother of the bride, was the best man.

The ushers were Dr. Woolsey of Newark and Mr. W. J. MacNaughten, brother of the bride. Decorations were of pink and roses, pink being the color scheme and the ceremony was performed beneath a bower of palms.

The bride wore a white crepe de chine and she carried white roses. The maid of honor wore white point d'esprit over pink suit and carried pink roses.

After the ceremony supper was served by Morrow & Day, and Dr. and Mrs. Pyle left for their honeymoon. Upon their return they will reside at No. 54 Monticello avenue.

WHO KNOWS JOHN DRAKE?

He Came Over Just a Few Years Ago With William Penn.

Hudson County officials are regarded as encyclopedias of information by certain out-of-town correspondents. Remarkable for instance, they have often received by them. The exceeding modesty of many of these requests is perhaps their most striking characteristic. Here is one received recently by Register-Clarke:

Elizabeth, June 2, 1901.
To the Recorder of Jersey City:— I wish to ask a favor, and it is this:—Can you give me any information of a certain John Drake that lived in New Jersey many years ago? He had, I think, a son named Jacob, who was a great grandfather. Can you tell me the name of the ship he sailed in to this country? I understand he was in the same ship with William Penn and they built a settlement either in Jersey City or Philadelphia and I think they called it Drakestown. Any information you can find about this John Drake will be thankfully received by the inquirer. There might be some of his descendants still living here yet, and if there is please let me know and I will write to them. This John Drake is a descendant of Sir Francis Drake.

Answer as soon as possible, and oblige.
Yours respectfully,
ELIZABETH A. L. JOHNSON.
By JOHN J. MEYERS.

MR. BROWN WANTS HIS CHILDREN

Counsel for Mr. George T. Brown, who recently was granted a divorce from his wife, Mrs. Mary T. Brown, by Vice Chancellor Pitney, will apply on Monday next for an order giving him the custody of the two children now with Mrs. Brown.

TRACTION STOCK SUIT.

Judge Gray Withholds Decision in Case Against North Jersey Co.

Important suits against the Consolidated Traction Co. and North Jersey Street Railway Company were heard yesterday in the U. S. Circuit Court before Judge Gray. The suits are the executors of the estate of Samuel T. Dickinson of Maryland against the companies.

The argument was made before the court for a couple of days by eminent lawyers for both sides. Among the prominent street railroad men and financiers who were witnesses in the case were David Young and John F. Dryden, of Newark, and E. P. C. Young, of Jersey City. The petitioners alleged fraud in the transfer of the Consolidated company to the other at the time consolidation took place a few years ago.

The court held that the allegations of technical fraud in the conveyance of the property of the Consolidated Traction Company were debatable and that in any event the directors of the defendant corporation were of undisputed financial responsibility, and that the complainants therefore had sufficient sources of redress without interfering with the consummation of the consolidation. The vacation of the order permitted the defendant directors to pay the interest on the bonds.

The final hearing, which began today, will have reference almost exclusively to the testimony which has been taken since the original bill was filed.

This testimony includes the statements of E. F. C. Young, John F. Dryden, John D. Cimmmins, David Young, R. C. Jenkinson and a score of others, and is contained in printed volumes of over 5,000 pages.

The chief contention is that the directors of the Consolidated Traction Company at the time of the execution of the lease to the North Jersey Street Railway Company were included in the directory of the latter corporation, and that the benefits accruing to the first named corporation were the act of these directors illegal.

The complainants also claimed that the lease executed was beyond the corporate powers of the directors.

Another allegation in the complaint is that when the vote for consolidation was taken the complainant stockholders were prevented from attending the meeting.

The benefits which have followed the consolidation have proven the wisdom of Mr. Sharkey, and the North Jersey Street Railway Company is considered one of the best properties in the country.

MURPHY ASSOCIATION'S OUTING

Arrangements Made for a Delightful Outing in September.

The committee in charge of the annual outing of the Franklin J. Murphy Association met last evening at the club house of the Samuel J. Dickinson Association, Jersey avenue, and arranged for the outing to take place in September.

The committee in charge expects this year's outing to surpass all previous outings of the club, and it is said that over five hundred men will be in line on the day of the parade. A steamer will leave the foot of Morris street at ten o'clock on the morning of the outing. The formation for the parade will be in front of the Dickinson headquarters, and the line march will be on Sixth street, and selected a date for the day's pleasure.

The outing will take place at Port-Au-Peck on the ninth of September.

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NEW PEST HOUSE

Freeholders Decide to be Prepared for Whatever May Come Next Winter.

The opinion expressed by County Physicians Charles B. Converse and "The News" some time ago to the effect that an outbreak of smallpox in a more virulent form than that of the past winter, would probably mark the return of cold weather, has aroused the Freeholders to action and a new and substantial brick pest house will be erected at Snake Hill to replace the present antiquated and inadequate frame structure which has done duty for many years as a hospital for those afflicted with that loathsome disease.

The Freeholders recognize that Dr. Converse's predictions of coming epidemics have been generally accurate in the past, and they are determined not to be caught napping next winter with inadequate facilities to care for the unfortunate victims of the dread disease.

The accommodations of the present hospital and the one tent provided for convalescents were once or twice in the past winter taken to their utmost capacity and at times it looked as though the contagious disease hospital, which is under the control of the County Board of Health and used for the care of patients suffering from contagious fevers, etc., would have to be pressed into service to provide accommodations for the large number of smallpox patients in the county's charge.

It is proposed as soon as the few smallpox victims still remaining at the pest house are removed, to at once tear or burn down the old building and commence the erection of a new one on the same site.

Plans for the new hospital are now being prepared under the direction of the building committee of the Board of Freeholders. It will be 50x75 feet, two stories high and will be built with the bricks taken from the old Almshouse stable which was recently torn down. The new building will be completed in the early fall and will be occupied by the Board of Health and used for the care of patients suffering from contagious fevers, etc., and will be provided for the care and comfort of smallpox victims.

As County Physician Converse is a firm believer in plenty of fresh air, his plan is to provide for convalescents, and thus equipped it is expected that this county will be amply prepared for any emergency.

The site of the present and future pest-houses is hidden in the trees at the south-east end of the county's property on the same plane as the old men's pavilion, from which it is about 200 feet distant. A warden and a matron are the only attendants at the institution.

The need for a new pesthouse hospital has long been known and no doubt one would have been provided for long ago but there had been so little use for the building until the recent outbreak that it was postponed from time to time.

WEDDED AT FOUR, SORRY AT SIX

Passaic Youth Asks Divorce From His Bride.

[Special to "The Jersey City News."] PASSAIC, June 13, 1901.—Married at four o'clock in the afternoon and separated at six is the record of Charles Kanx, of Ann street, Passaic, and Miss Tillie Bauman of Hackensack. Charles is now seeking to get the marriage, which took place on April 27, annulled.

He is but nineteen years old, and his appearance would rate him as being fifteen. His bride says she is eighteen, but she doesn't look it. On April 27 the two, who had been fast friends for some time, strolled through Second street, in this city.

"Let's us get married," said Charles. "I'm willing," replied the girl, and they straightaway went to Justice Edgar Baker's office and were made man and wife. Mr. and Mrs. John Dool, of Harrison street, were witnesses.

Kanx took his wife to her home and left her, while he returned to Passaic. His love grew cold at once, he says, and that night he regretted that he had allowed the ceremony to take place.

When Charles announced the wedding today his bride denied it until he produced the marriage certificate. He seeks to have the marriage set aside on the ground that he and his wife are under age.

The bride's parents will fight against a divorce. Kanx's father is superintendent in one of the big mills here.

THE NINTH'S TROTTING

Many Entries in West Side Driving Park Races.

Many entries have already been received for the first of a series of matinee trots to be held at the West Side Driving Park on next Saturday afternoon under the auspices of the Ninth Ward Democratic Club. City Collector Robert Davis will officiate as referee and a large attendance is expected.

The committee of the club having charge of the affair consists of George W. Henry, Daniel Y. Lewis, R. Wilber, James Billington and John J. Duffy. They will be assisted by a sub-committee composed of: A. A. Cable, F. X. O'Brien, Stephen Wyse, Richard Searles, William Kopf, Joseph Fullam, George Sawyer and Robert Burns.

The trotting will be given at two o'clock and there will be at least three races each day.

COMPLAINTS OF DISORDERLY HOUSE

Annie and Kate McManus and Mary Dowd, who have been living at No. 183 Mercer street for some time, were arrested last night at the house by Detective Lee, who charges them with conducting a disorderly house. The arrest was made after Captain Cady had received complaints from some of the police.

Police Justice Hoos heard the case this morning in the First Criminal Court and held the prisoners for the Grand Jury.

GREENVILLE LEAGUE'S CELEBRATION

The members of the Greenville Republican League held a meeting last night and completed arrangements for the celebration to be held on July 4. Much discussion has arisen over the selection of an umpire to decide the baseball contest, which will take place between the married and single members of the club. Those interested in the game are anxious to see the impartial judge, but up to last night they had not agreed upon a selection.

MATTERS OF FACT.

The A-D-C Corn Starch, one of the very best foods for children, or puddings, etc., wholesale at E. C. Cleary Co.'s store, Montgomery and Greene streets, Jersey City.

TROLLEY REALTY

Vice President Young Sure the Decision as to Street Ownership Will Be Reversed.

QUESTION MUST BE SETTLED

North Jersey Officials Smile at Newark's Tax Calculations.

Officials of the North Jersey Street Railway Company are amused over the jubilation of certain Newark officials concerning the decision of the Supreme Court regarding the trolley company's use of streets.

The Newark Tax Commissioners are already figuring out the assessment on the company which they think will reduce the city's tax rate to \$2.14. In that calculation the commission includes rights of way, value of telephone, telegraph, electric light and gas companies. President Lowy, of the Tax Board of Newark, put it this way:—

"I planned several methods of figuring the rights of way value for the North Jersey. One was to get the total receipts for a year, and deduct fifty per cent. for operating expenses. This gave the net income, and by dividing by the total mileage the net earnings per mile were ascertained. We also have to deduct the five per cent. paid the city as a franchise tax, and the amount for license fees, with an allowance for taking the snow from the streets in winter, and for watering the highways in summer."

"After these deductions are made the net earnings of each mile of road in the city is set down, and this is estimated at about six per cent. of the value of the rights of way. I presume some such method as that will be followed now."

Vice President David Young, of the North Jersey Company, commenting on the opinion of Mr. Lowy, said that the contention that the company owned the realty in the streets was in itself particularly interesting from the company's standpoint. He was confident that the decision of the court would be reversed by the court of last resort.

"We only want," he said, "to have this question settled either one way or the other. Were we to accept this and somebody was to come along and contest it and ultimately win, it would place us in a queer position. We will go to the Court of Errors and if that body affirms it all right, and if it doesn't, all right, too."

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NEW PILOT CRUISER.

State Commissioners Adopt Specification for the Construction—Chase or Sandy Hook.

New Jersey is to have an up-to-date cruising pilot steamer. That was decided upon this morning at a meeting of the Board of Commissioners of Pilotage, held in this city. There were present at the meeting—Ex-Senator D. C. Chase of Somerset, who presided, Captain John R. Dewar, secretary, and Messrs. H. W. Miller of Morristown and J. C. Weaver of Mauriceville, members.

The specifications adopted for the new boat call for a steamer 140 feet long, 27 feet beam, 13 feet draught and 600 horse power. These specifications were drawn by Cary Smith, the well known expert in that line. Blue prints will be sent to every prominent building contractor in the State.

The name for the new cruising boat will probably be the Sandy Hook, although as somebody suggested it should be called "Chase."

"Why?" asked one of the board. "In honor of our president and because the boat will chase steamers. See?" There was a mass of routine work cleared away, such as reports of wrecks, etc., etc. The Commissioners keep a sharp lookout for obstructions in the waterways of the State, promptly reporting them to the U. S. Government for removal.

STRIKERS TO BE SUPPORTED.

Trade Union Calls Off Men on Various Jobs.

At last night's meeting of the United Building Trades Council, at Council Hall, No. 11 Hoboken avenue, it was decided that all trades should stop work on all jobs where the Lillian Contracting Paint Company were working and also should refuse to handle any material produced at the Barnes mill in Jersey City, where the union employees are still on strike.

President Vreeland called the meeting to order. Credentials were received from Carpenters Local No. 64 of Jersey City, for George Devine.

Business Agent Westlake reported the plumbers strike in Hoboken practically settled in a victory for the men. Only two bosses are still holding out.

Painters Local No. 36 reported having opened a day room, for the use of members of the craft throughout the county, at the Junction, corner Grand street and Communipaw avenue.

The demonstration committee reported everything practically arranged for the celebration of Labor Day at Arlington Park, Bayonne. An exhibition cakewalk will be given and games and aquatic events will be open to all members.

Carpenters, painters, plasterers, plumbers, tinmiths, electricians, lathers and laborers reported trade good and increases in the membership of the various locals.

MANY KELLER WITNESSES

Prosecution Has Had Subpoenas Issued for Eighty Persons.

Instead of being short